

JOSEPH REDEAUX §
v. § CIVIL ACTION NO. 6:17cv384
ERIK BRANNON, ET AL. §

The Plaintiff Joseph Redeaux, proceeding *pro se*, filed this lawsuit under 42 U.S.C. §1983 complaining of alleged violations of his constitutional rights. This Court ordered that the matter be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges. The named defendants are Sgt. Erik Brannon and Officer Kayla McAndrew, officers at the Coffield Unit of the Texas Department of Criminal Justice, Correctional Institutions Division.

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The Court has examined the pleadings in this cause and the Report of the Magistrate Judge and has concluded that this Report is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.") It is accordingly

ORDERED that the Report of the Magistrate Judge (docket no. 13) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled civil action is **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief may be granted. The state law claims raised in the lawsuit are **DISMISSED WITHOUT PREJUDICE** to Redeaux's right to proceed on these claims in state court, with the statute of limitations on these state law claims suspended from the date that the federal lawsuit was filed until 30 days after the date of entry of final judgment. 28 U.S.C. §1367(d). It is further

ORDERED that any and all motions which may be pending in this civil action are hereby **DENIED**.

So Ordered and Signed

May 23, 2018



Ron Clark, United States District Judge